

EXHIBIT A

A federal court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

- | YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT | |
|---|--|
| <p>Do Nothing</p> | <p>Stay in this lawsuit. Await the outcome. Give up certain rights for the possibility of receiving certain benefits.</p> <p>By doing nothing, you keep the possibility of getting money or benefits that may come from the lawsuit. But you give up any rights to sue Facebook separately about the same legal claims in this lawsuit, and will instead be bound by the result of this lawsuit. There will be no second opt out opportunity, unless the Court finds it necessary, so your decision to stay in the lawsuit or opt out must be made now.</p> |
| <p>Ask To Be Excluded</p> | <p>Get out of this lawsuit. Get no benefits from it. Keep rights.</p> <p>If you ask to be excluded and money or benefits are later awarded, you will not share in those monies or benefits. But you will keep any rights to sue Facebook separately about the same claims in this lawsuit.</p> |

- QUESTIONS? VISIT www.pearsoncmg.com OR CALL TOLL-FREE 1-800-818-7243

1. Why should I read this Notice?
2. What is this lawsuit about?
3. What is a class action and who is involved?
4. Why is this lawsuit a class action?

5. What does the lawsuit complain about?
6. How does Facebook answer the allegations?
7. Has the Court decided who is right?
8. What is the Plaintiff asking for?
9. Is there any money available now?

10. Am I part of the Class?
11. Are all current and former Illinois Facebook users since June 7, 2011, included in the Class?
12. I'm still unsure if I am included.

13. What happens if I do nothing?
14. Why would I ask to be excluded?
15. How do I ask the Court to exclude me from the Class?

16. Do I have a lawyer in this case?
17. Should I get my own lawyer?
18. How will the lawyers and Class Representatives be paid?

19. How and when will the Court decide who is right?
20. Do I have to come to trial?
21. Will I get money after the trial?

22. How do I get more information?

2

BASIC INFORMATION**1. Why should I read this Notice?**

This Notice explains that the Court has allowed, or “certified,” a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial, which is scheduled to begin on July 9, 2018. If you wish to exclude yourself from this action, which is explained more fully below, you have to do so by [Date]. The trial will decide whether the allegations being made against Facebook are true. Judge James Donato of the United States District Court for the Northern District of California is overseeing this class action. The lawsuit is known as *In re Facebook Biometric Information Privacy Litigation*, Case No. 3:15-cv-03747-JD.

2. What is this lawsuit about?

This lawsuit is about whether Facebook violated the Illinois Biometric Information Privacy Act (“BIPA”) by collecting and storing Illinois Facebook users’ biometric data, through the processing of user photos with its facial recognition technology and “Tag Suggestions” feature, without prior notice and consent. BIPA is an Illinois state law that prohibits the collection and storage of an individual’s biometric data without his or her informed consent. BIPA allows any person in Illinois from whom Facebook collected and stored biometric data without prior consent to collect damages for negligent intentional or reckless violation of the statute.

3. What is a class action and who is involved?

In a class action lawsuit, one or more people called “Class Representatives” (in this case Nimesh Patel, Adam Pezen, and Carlo Licata) sue on behalf of other people who have similar claims. The people together are a “Class” or “Class Members.” The people who sue – and all the Class Members like them – are called the “Plaintiffs.” The company the Plaintiffs sue (in this case Facebook) is called the “Defendant.” One court resolves the issues for everyone in the Class – except for those people who choose to exclude themselves from the Class.

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action and move toward trial because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found that:

- There are likely millions of Facebook users in Illinois who have been tagged in photographs and have thus had face templates created and stored by Facebook;
- There are factual and legal questions that are common to each of the members of the Class;
- Plaintiffs’ claims are typical of the claims of the rest of the Class;

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- Plaintiffs and the lawyers representing the Class will fairly and adequately represent the Class' interests;
- The common legal questions and facts predominate over questions that affect only individuals; and
- This Class action will be more efficient than having many individual lawsuits.

More information about why the Court is allowing this lawsuit to be a class action can be found in the Court's Order re Class Certification, which is available in the "Court Documents" section of this website.

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit complain about?

In the lawsuit, the Plaintiffs say that Facebook's facial recognition technology and its "Tag Suggestions" feature operates in such a way that Facebook collects and stores its users' biometric data, from faces in photographs uploaded to Facebook's desktop or mobile platform. Plaintiffs say that this conduct violates the rights of Illinois Facebook users under BIPA, which requires a company to provide notice and obtain written consent before biometric data may be collected and stored. Plaintiffs seek damages for Facebook's alleged violations of BIPA. You can read the Plaintiffs' Consolidated Class Action Complaint ("Complaint") at [\[INSERT WEBSITE\]](#).

6. How does Facebook answer the allegations?

Facebook responds that it does not collect biometric data with its facial recognition technology and "Tag Suggestions" feature, and thus is not required to provide notice and get consent in accordance with BIPA. Facebook also asserts that its Data Policy and User Agreements provide any necessary disclosures to satisfy BIPA.

7. Has the Court decided who is right?

The Court has not decided whether Plaintiffs or Facebook is correct. By establishing the Class and issuing this Notice, the Court is not suggesting that the Plaintiffs will win or lose this case. The Plaintiffs must prove their claims at trial. A settlement before trial (or subsequent to trial) may result in money for the Class or changes in Facebook's policies. There will be no second opt out opportunity (unless the Court finds it necessary), so your decision to stay in the action or opt out must be made now. (See "The Trial" below on page 6.)

8. What is the Plaintiff asking for?

The Plaintiffs are asking that Facebook provide monetary compensation to each Class Member, as provided under BIPA. The Plaintiffs will also seek attorneys' fees and costs incurred by them in connection with the

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prosecution of the lawsuit.

9. Is there any money available now?

No money or benefits are available now because there has been no settlement on trial, nor has the Court decided whether Facebook did anything wrong or whether Class Members are entitled to any money or other benefit. There is no guarantee that money or other benefits will ever be obtained. If they are, you will be notified about how to seek money or other benefits from the lawsuit.

WHO IS IN THE CLASS?

You need to decide whether you are affected by this lawsuit.

10. Am I part of the Class?

If you are a user in Illinois who uploaded a photograph of yourself, or had a photograph of you uploaded, to Facebook after June 7, 2011, you may be part of the Class. By visiting [https://\[redacted\]](https://[redacted]), and entering your current or former Facebook username or email address, you will be notified whether you are a member of the Class or not.

11. Are all current and former Illinois Facebook users since June 7, 2011, included in the Class?

If you did **not** upload photographs of yourself to Facebook, or photographs of you were not uploaded by other Facebook users to Facebook since June 7, 2011, you may **not** be part of the Class. In order to determine whether Facebook created and stored a face template for you after June 7, 2011, please visit [https://\[redacted\]](https://[redacted]), enter your current or former Facebook username or email address, and you will be notified whether you are a member of the Class or not.

12. I'm still unsure if I am included.

If you are still not sure whether you are included, you can get free help at [\[insert website\]](#), or by calling the lawyers in this case at the phone numbers listed in question 16.

YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or ask to be excluded before the trial, and you have to decide this now.

13. What happens if I do nothing at all?

QUESTIONS? VISIT [www.\[redacted\].com](http://www.[redacted].com) OR CALL TOLL-FREE [\[redacted\]](tel:[redacted])

You don't have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit. By doing nothing, you are staying in the Class. If you stay in and the Plaintiffs settle or win, you will be notified about how to seek money and other benefits from the lawsuit. Keep in mind that if you do nothing now, regardless of whether the Plaintiffs settle, win or lose at trial, you will not be able to sue, or continue to sue, Facebook – as part of any other lawsuit – about the same legal claims that are the subject of this lawsuit. You will also be legally bound by all of the orders the Court issues and the judgments the Court makes in this class action. Again, there will not be a second “opt out” opportunity, no matter the outcome, dismissal, settlement, or a win or loss at trial, unless the Court finds it necessary.

14. Why would I ask to be excluded?

If you already have your own lawsuit against Facebook regarding alleged violations of BIPA, and want to continue with it, you need to ask to be excluded from the Class. Or, you may not agree with the allegations raised by the Plaintiffs and do not wish to be a part of this lawsuit. If you exclude yourself from the Class – which also means to remove yourself from the Class or “opt out” of the Class – you will not get any money or benefits from this lawsuit even if the Plaintiffs obtain them as a result of a settlement or a trial. However, you may then be able to sue, or continue to sue, Facebook regarding the alleged violations of BIPA. If you exclude yourself, you will not be legally bound by the Court's judgments in this class action.

If you start your own lawsuit against Facebook regarding the alleged violations of BIPA after you exclude yourself, you will have to hire and pay for your own lawyer for that lawsuit, and you will have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit against Facebook regarding the alleged violations of BIPA, you should talk to your own lawyer soon because your claims may be subject to a statute of limitations.

15. How do I ask the Court to exclude me from the Class?

To ask to be excluded, you must send an “Exclusion Request” in the form of a letter sent by U.S. mail, stating that you want to be excluded from ***In re Facebook Biometric Information Privacy Litigation, Case No. 3:15-cv-03747-JD***. Be sure to include your name and address and sign the letter. You must mail your Exclusion Request postmarked by [Date], to: ***In re Facebook Biometric Information Privacy Litigation, Case No. 3:15-cv-03747-JD***, P.O. Box [redacted], [City], [State] [Zip Code]. You may also get an Exclusion Request form at the following website: [insert website].

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

The Court decided that the law firms of Robbins Geller Rudman & Dowd LLP (“Robbins Geller”) of San Francisco, California (415) 288-4545, Edelson PC (“Edelson”) of Chicago, Illinois (312) 589-6370, and Labaton Sucharow LLP (“Labaton”) of New York, New York (212) 907-0700 are qualified to represent you and all Class Members. These firms are called “Class Counsel.” The law firms are experienced in handling similar class action cases. More information about Robbins Geller, Edelson, and Labaton, their practices,

QUESTIONS? VISIT [www.\[redacted\].com](http://www.[redacted].com) OR CALL TOLL-FREE [redacted]

and their lawyers' experience is available at www.rgrdlaw.com, www.edelson.com, and www.labaton.com.

17. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But if you want your own lawyer, you will have to pay for that lawyer. For example, you can ask him or her to appear in Court for you if you want someone other than Class Counsel to speak for you.

18. How will the lawyers be paid?

If Class Counsel gets money or benefits for the Class, they may ask the Court for fees and litigation expenses. You will not have to pay these fees and expenses. If the Court grants Class Counsels' request, the fees and expenses would either be deducted from any money obtained for the Class or paid separately by Facebook.

THE TRIAL

The Court has scheduled a trial to begin on July 9, 2018, to decide who is right in this case.

19. How and when will the Court decide who is right?

Class Counsel will have to prove the Plaintiffs' allegations at trial. The Court has scheduled a trial to begin on July 9, 2018, to decide who is right in this case. The trial will be held in the United States District Court, Northern District of California, located at Courtroom 11, 19th Floor, 450 Golden Gate Avenue, San Francisco, CA 94102. During the trial, a Jury and the Judge will hear all the evidence to help them reach a decision about whether Plaintiffs or Facebook is right about the allegations in the lawsuit. There is no guarantee that the Plaintiffs will win or that they will be able to get any money for all or some of the members of the Class.

20. Do I have to come to trial?

You do not need to attend trial. Class Counsel will present the case for the Plaintiffs, and Facebook will present the defense. You or your lawyer are welcome to attend at your own expense.

21. Will I get money after the trial?

If the Plaintiffs obtain money or benefits as a result of the lawsuit, you will be notified about how to participate. We do not know how long this will take.

GETTING MORE INFORMATION

22. How do I get more information?

Visit the website [insert] where you will find the Court's Order re Class Certification, the Complaint that the Plaintiffs filed, as well as an Exclusion Request form. You may also speak to someone about the case by calling

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[insert] or by writing to: *In re Facebook Biometric Information Privacy Litigation*, Case No. 3:15-cv-03747-JD, P.O. Box _____, [City], [State] [Zip Code].

PLEASE DO NOT CALL OR WRITE THE COURT FOR INFORMATION OR ADVICE

DATED: _____, 2018

BY ORDER OF THE UNITED
STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF
CALIFORNIA

QUESTIONS? VISIT www._____.com OR CALL TOLL-FREE _____